IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE EIGHTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

-

WRIT PETITION NO : 21785 of 2002

Between:

Organisation for Public Health and Environment, Jaggayyapeta, a

Society registered under the A.P.Co-operative Societies Act,

Rep. by its Secretary Mr.Varanasi Rama Murthy,

S/o.Bhagavanulu, r/o.Jaggayyapeta, Krishna dist. ..... PETITIONER

AND

1)The Government of Andhra Pradesh, rep. by
its Principal Secretary, Panchayat Raj Department,
Secretariat, Hyderabad.

2)The District Level Committee for Sand Auctions,
rep. by its Chairman, Zillaparishad, Krishna dist.,
Machilipatnam.

3)The District Collector, Krishna dist., Machilipatnam.

4)Yanamreddy Vijayasimha Reddy, s/o.Venkat Reddy,
r/o.Jaggayyapeta, Krishna district. **.....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction in the nature of Mandamus declaring the action of the respondents 1 to 3 in not preventing the illegal sand quarrying conducted by the fourth respondent in Munneru stream beyond the Kanneveedu reach, Vatsavai mandal, Krishna district as arbitrary, illegal, violative of the Fundamental Right guaranteed under Article 21 of the Constitution of India, apart from being violative of the A.P.Minor Mineral Concession Rules, 1966, G.O.Ms.No.1 dated 1.1.2001 and the A.P.Water, Land and Trees Act, 2002 and the Rules made thereunder and consequently direct the fourth respondent to stop the sand quarrying operations forthwith.

Counsel for the Petitioner: MR.C.V.MOHAN REDDY

Counsel for the Respondents 1 to 3 : THE ADVOCATE GENERAL

For Respondent no.4: None appeared.

The Court made the following :

THE HON'BLE SRI DEVINDER GUPTA,

THE CHIEF JUSTICE

WRIT PETITION No.21785 OF 2002

O R D E R :

The learned counsel for the parties say that the petition has been rendered infructuous.

The Writ Petition is disposed of as such.

08.07.2004

tvr/drk

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Copy to:

1)The Principal Secretary to Government, Panchayat Raj Department , Government of Andhra Pradesh, Secretariat, Hyderabad.

2)The District Collector, Krishna dist., Machilipatnam.

3)Two CCs to the Advocate General, High Court buildings, High Court of A.P., Hyderabad. (o.u.t.)

4)Two CD copies.